

No. PD-0408-21

In the Court of Criminal Appeals of Texas

FILED
COURT OF CRIMINAL APPEALS
11/5/2021
DEANA WILLIAMSON, CLERK

Syed Sartaj Nawaz,
Appellant

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v.

The State of Texas,
Appellee

**Unopposed Motion for Extension of Time to File
State's Brief**

COMES NOW, The State of Texas, by and through the Criminal District Attorney of Collin County, Greg Willis, and tenders pursuant to Texas Rules of Appellate Procedure 68.2 and 10.5, this Unopposed Motion for Extension of Time to File the State's Brief. In support of this motion, the State would show the following:

1.

Appellant Syed Sartaj Nawaz was convicted of one count of injury to a child causing serious bodily injury and one count of injury to a child causing serious mental deficiency, impairment, or injury. He was sentenced to sixteen years' confinement in the Texas Department of Criminal Justice—Institutional Division in each count. The trial court ordered the counts to run consecutively.

The Fifth District Court of Appeals reversed his conviction for injury to a child causing serious mental deficiency, impairment, or injury and rendered a judgment vacating the conviction on May 11, 2021. *Nawaz v. State*, No. 05-19-00092-CR, 2021 WL 1884551 (Tex. App.—Dallas May 11, 2021, no pet. h.) (mem. op., not designated for publication). This Court granted discretionary review on October 6, 2021.

2.

The State's brief is due on November 5, 2021. The State requests that it be granted an extension until December 5, 2021. The State has not previously requested an extension of time to file its brief. Appellant's counsel is unopposed to this motion.

3.

Undersigned counsel is part of the prosecution team in *State v. Morgan Leigh Sims*, 366-82665-2020, a murder case. Trial began on November 1, 2021. As a part of the prosecution team, undersigned counsel performed research and worked with the trial prosecutors on various issues in preparation for trial and is present during trial with the trial prosecutors. Trial is expected to last two weeks.

Undersigned counsel has also been serving as second-chair counsel in *Ex parte Timothy James Taylor*, W366-80945-2012-HC. Counsel has been working actively with the first-chair prosecutor during the pendency of the investigation of this writ. This case is due to this Court on November 23, 2021.

Undersigned counsel has also responded to over 25 petitions for orders of nondisclosure and represented the State in contested hearings.

WHEREFORE, premises considered, the State respectfully requests that the Court grant an extension of time for the State to file its brief until December 5, 2021.

Respectfully submitted,

GREG WILLIS

Criminal District Attorney
Collin County, Texas

JOHN R. ROLATER, JR.

Assistant Criminal District Attorney
Chief of the Appellate Division

/s/ Sarah R. Preston

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CERTIFICATE OF SERVICE

The State has served a true copy of this Unopposed Motion for Extension of Time to File the State's Brief on counsel for Appellant, Jeremy Rosenthal, jeremy@texasdefensefirm.com, and the State Prosecuting Attorney, information@spa.texas.gov, through the eFileTexas.gov filing system, the 5th day of November 2021.

/s/ Sarah R. Preston

Sarah R. Preston

CERTIFICATE OF CONFERENCE

On November 4, 2021, I emailed Appellant's counsel, Jeremy Rosenthal, and asked if he had any objection to my request for an extension. He responded via email on November 5, 2021, that he is not opposed.

/s/ Sarah R. Preston

Sarah R. Preston

Automated Certificate of eService

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Crissy Hinojosa on behalf of Sarah Preston
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Status as of 11/5/2021 11:56 AM CST

Associated Case Party: Collin County

Name	BarNumber	Email	TimestampSubmitted	Status
DAappeals DAappeals		daappeals@collincountytx.gov	11/5/2021 10:47:31 AM	SENT

Associated Case Party: Jeremy Rosenthal

Name	BarNumber	Email	TimestampSubmitted	Status
Jeremy Rosenthal		jeremy@texasdefensefirm.com	11/5/2021 10:47:31 AM	SENT

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